



# State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 05/12/2011 (Per: PG)

A ➡ The 2011 drafting file for LRB-1653

B ➡ The 2011 drafting file for LRB-1654

C ➡ The 2011 drafting file for LRB-1655

D ➡ The 2011 drafting file for LRB-1664

E ➡ The 2011 drafting file for LRB-1696

F ➡ The 2011 drafting file for LRB-1697

G ➡ The 2011 drafting file for LRB-1702

H ➡ The 2011 drafting file for LRB-1703

I ➡ The 2011 drafting file for LRB-1710

J ➡ The 2011 drafting file for LRB-1747

➡ Compile Draft – Appendix D

has been copied/added to the drafting file for

**2011 LRB-2066**

**2011 DRAFTING REQUEST****Bill**Received: **03/14/2011**Received By: **pgrant**Wanted: **As time permits**

Companion to LRB:

For: **Steve Kestell (608) 266-8530**By/Representing: **Christopher Kulow**

May Contact:

Drafter: **pgrant**Subject: **Education - school boards**

Addl. Drafters:

Extra Copies: **TKK**Submit via email: **YES**Requester's email: **Rep.Kestell@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

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**Topic:**

Using test results to discharge, suspend, nonrenew, or discipline teachers

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**Instructions:**

See attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pgrant 03/15/2011	csicilia 03/16/2011		_____			
/1	pgrant 03/18/2011	csicilia 03/21/2011	jfrantze 03/16/2011	_____	mbarman 03/16/2011		
/2			phenry 03/21/2011	_____	mbarman 03/21/2011		

FE Sent For:

<END>

**2011 DRAFTING REQUEST**

**Bill**

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/?	pgrant 03/15/2011	csicilia 03/16/2011					
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/1			jfrantze 03/16/2011	3/16/11 ph	mbarman 03/16/2011		
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<END>

2011 DRAFTING REQUEST

Bill

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Wanted: As time permits

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1?	pgrant	1 gs 3/16 11	3/16	3/16 Ph/JS			

FE Sent For:

<END>

**Grant, Peter**

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**From:** Kulow, Chris  
**Sent:** Friday, March 11, 2011 9:02 AM  
**To:** Grant, Peter; Kuczenski, Tracy  
**Subject:** Education Omnibus Bill  
**Attachments:** Eduomnibus.doc

Peter/Tracy,

Hopefully you didn't quit or jump out a window after seeing the subject line of this email. This is a list of primarily mandate relief initiatives that we want to do in one omnibus bill. Let me know if you need more direction on any of these items listed.

Also, could you update me on the progress of our "misuse of school district technology" (looking at porn at school) draft? I know there were some questions in the past and just want to make sure you have what you need.

Thanks,

Christopher Kulow  
Office of State Representative Steve Kestell  
15 West - State Capitol; 266-8530  
<http://kestell.assembly.wisconsin.gov>

3/11/2011

TKK 6) Postponing Statewide Layoff Date

- a. Problem: Because of open enrollment, school districts cannot make layoff decisions as early, regarding the number of teachers they will require for the coming year.
- b. Proposed Solution: Extend district notification date to no later than July 15<sup>th</sup>.

PG 7) Repeal prep-time as a mandatory subject of bargaining (Repeal the changes made by 2009 Wisconsin Act 34, which mandated that a school district must bargain collectively with respect to time that teachers spend during the school day, separate from pupil contact time, to prepare lessons, labs, or educational materials, to confer or collaborate with other staff, or to complete administrative duties.)

? PG 8) Give school districts flexibility in service delivery (i.e., flexibility to provide services in the manner they determine to be the most cost-effective for their taxpayers) including sharing of services.

PG 9) Repeal Act 99 requiring the teaching of history of organized labor in public schools.

PG 10) Repeal the provisions of 2009 Wisconsin Act 60 that make the use of student test/assessment data a mandatory subject of bargaining. Allow the use of student examination results to be used as a factor in the nonrenewal of a teacher's contract or in disciplining a teacher. (Act 60 was passed as part of an unsuccessful attempt to gain access to federal Race to the Top monies.)

PG 11) Remove barriers to cooperation by streamlining the process for the sharing of services between districts. Provide that individual contracts (collective bargaining agreements) cannot inhibit the sharing of services between districts or CESAs.

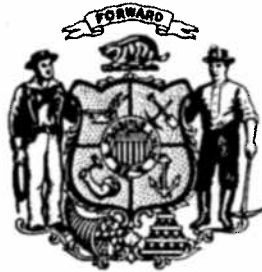
TKK 12) Align the state pupil records law with federal law (i.e., amend the state pupil records law to eliminate discrepancies with the federal pupil records law.)

TKK 13) Repeal this statute: No more than 200 days of school per year (s. 119.18 (6)(a), Wis. Stats.)

[Note: This applies only to the Milwaukee Public Schools.]

Together, sections 119.18(6) and (6)(a), Wis. Stats allow the MPS Board of Directors to determine the school calendar and vacation periods for each school year for the regular day schools, summer schools, social centers and playgrounds, except that ***the period of teaching service in the regular day schools shall not exceed 200 days***, including the legal holidays and educational convention days on which the schools are closed.

# State of Wisconsin



2009 Senate Bill 372

Date of enactment: November 9, 2009  
Date of publication\*: November 23, 2009

## 2009 WISCONSIN ACT 60

AN ACT to amend 111.70 (1) (a), 118.30 (2) (c) and 119.04 (1); and to create 111.70 (4) (o) and 118.225 of the statutes; relating to: using the results of standardized examinations to evaluate teachers and requiring the development of a teacher evaluation plan to be a mandatory subject of collective bargaining.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 111.70 (1) (a) of the statutes, as affected by 2009 Wisconsin Act 28, is amended to read:

111.70 (1) (a) "Collective bargaining" means the performance of the mutual obligation of a municipal employer, through its officers and agents, and the representative of its municipal employees in a collective bargaining unit, to meet and confer at reasonable times, in good faith, with the intention of reaching an agreement, or to resolve questions arising under such an agreement, with respect to wages, hours and conditions of employment, and with respect to a requirement of the municipal employer for a municipal employee to perform law enforcement and fire fighting services under s. 61.66 and for a school district with respect to any matter under sub. (4) (o), except as provided in subs. (3m), (3p), and (4) (m) and (mc) and s. 40.81 (3) and except that a municipal employer shall not meet and confer with respect to any proposal to diminish or abridge the rights guaranteed to municipal employees under ch. 164. The duty to bargain, however, does not compel either party to agree to a proposal or require the making of a concession. Collective bargaining includes the reduction of any agreement reached to a written and signed document. The municipal employer shall not be required to bargain on subjects

reserved to management and direction of the governmental unit except insofar as the manner of exercise of such functions affects the wages, hours and conditions of employment of the municipal employees in a collective bargaining unit. In creating this subchapter the legislature recognizes that the municipal employer must exercise its powers and responsibilities to act for the government and good order of the jurisdiction which it serves, its commercial benefit and the health, safety and welfare of the public to assure orderly operations and functions within its jurisdiction, subject to those rights secured to municipal employees by the constitutions of this state and of the United States and by this subchapter.

SECTION 2. 111.70 (4) (o) of the statutes is created to read:

111.70 (4) (o) *Mandatory subjects of bargaining.* In a school district, in addition to any subject of bargaining on which the municipal employer is required to bargain under sub. (1) (a), the municipal employer is required to bargain collectively with respect to the development of or any changes to a teacher evaluation plan under s. 118.225.

SECTION 3. 118.225 of the statutes is created to read:

**118.225 Teacher evaluations.** A school board may use the results of examinations administered to pupils under s. 118.30 and 20 USC 6311 (b) (3) to evaluate

\* Section 991.11, WISCONSIN STATUTES 2007-08: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].



**2009 Wisconsin Act 60**

- 2 -

**2009 Senate Bill 372**

teachers if the school board has developed a teacher evaluation plan that includes all of the following:

- PL
- (1) A description of the evaluation process.
  - (2) Multiple criteria in addition to examination results.
  - (3) The rationale for using examination results to evaluate teachers.
  - (4) An explanation of how the school board intends to use the evaluations to improve pupil academic achievement.

SECTION 4. 118.30 (2) (c) of the statutes is amended to read:

118.30 (2) (c) The results of examinations administered under this section or under 20 USC 6311 (b) (3) to pupils enrolled in public schools, including charter schools, may not be used to evaluate teacher performance, to discharge, suspend or formally discipline a

teacher or as the reason for the nonrenewal of a teacher's contract.

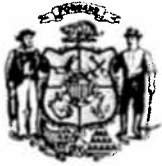
SECTION 5. 119.04 (1) of the statutes, as affected by 2009 Wisconsin Act 28, is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.365 (3), 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.225, 118.24 (1), (2) (c) to (f), (6) and (8), 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board.

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09 AB 393

use as the sole criterion to hire, sup

or as the sole reason for  
nonrenewal 7 + k



State of Wisconsin  
2009 - 2010 LEGISLATURE

LRB-3235/3  
PG&CMH:jld&bjk:jf

2009 SENATE BILL 372

P. W. F.

October 28, 2009 - Introduced by COMMITTEE ON EDUCATION. Referred to Committee on Education.

discharge, suspend, or discipline a

reger

of SA  
" SA

1 AN ACT to amend 111.70 (1) (a), 118.30 (2) (c) and 119.04 (1); and to create 111.70  
2 (4) (o) and 118.225 of the statutes; relating to: using the results of  
3 standardized examinations to evaluate teachers and requiring the  
4 development of a teacher evaluation plan to be a mandatory subject of collective  
5 bargaining or for the nonrenewal of a teacher's contract

Analysis by the Legislative Reference Bureau

Current law directs school districts to administer certain standardized examinations to pupils enrolled in the 4th, 8th and 10th grades. Current law prohibits a school board from using the results of the examinations to evaluate teacher performance; to discharge, suspend, or formally discipline a teacher; or as the reason for the nonrenewal of a teacher's contract.

Current law

This bill allows the results of the state-required standardized examinations and the standardized examinations required under the federal No Child Left Behind Act to be used for the evaluation of teacher performance if certain conditions are met. The school board must develop a teacher evaluation plan that includes a description of the evaluation process, multiple criteria in addition to examination results, the rationale for using examination results for evaluating teachers, and an explanation of how the school board intends to use the evaluations to improve pupil academic achievement. This bill also requires a school district to bargain collectively over the development of the teacher evaluation plan.

A

**SENATE BILL 372**

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1       **SECTION 1.** 111.70 (1) (a) of the statutes, as affected by 2009 Wisconsin Act 28,  
2 is amended to read:

3       111.70 (1) (a) "Collective bargaining" means the performance of the mutual  
4 obligation of a municipal employer, through its officers and agents, and the  
5 representative of its municipal employees in a collective bargaining unit, to meet and  
6 confer at reasonable times, in good faith, with the intention of reaching an  
7 agreement, or to resolve questions arising under such an agreement, with respect to  
8 wages, hours and conditions of employment, and with respect to a requirement of the  
9 municipal employer for a municipal employee to perform law enforcement and fire  
10 fighting services under s. 61.66 and for a school district with respect to any matter  
11 under sub. (4) (o), except as provided in subs. (3m), (3p), and (4) (m) and (mc) and s.  
12 40.81 (3) and except that a municipal employer shall not meet and confer with respect  
13 to any proposal to diminish or abridge the rights guaranteed to municipal employees  
14 under ch. 164. The duty to bargain, however, does not compel either party to agree  
15 to a proposal or require the making of a concession. Collective bargaining includes  
16 the reduction of any agreement reached to a written and signed document. The  
17 municipal employer shall not be required to bargain on subjects reserved to  
18 management and direction of the governmental unit except insofar as the manner  
19 of exercise of such functions affects the wages, hours and conditions of employment  
20 of the municipal employees in a collective bargaining unit. In creating this  
21 subchapter the legislature recognizes that the municipal employer must exercise its

## SENATE BILL 372

1 powers and responsibilities to act for the government and good order of the  
2 jurisdiction which it serves, its commercial benefit and the health, safety and welfare  
3 of the public to assure orderly operations and functions within its jurisdiction,  
4 subject to those rights secured to municipal employees by the constitutions of this  
5 state and of the United States and by this subchapter.

6 SECTION 2. 111.70 (4) (o) of the statutes is created to read:

7 111.70 (4) (o) *Mandatory subjects of bargaining.* In a school district, in addition  
8 to any subject of bargaining on which the municipal employer is required to bargain  
9 under sub. (1) (a), the municipal employer is required to bargain collectively with  
10 respect to the development of or any changes to a teacher evaluation plan under s.

11 118.225

12 SECTION 3. 118.225 of the statutes is ~~created to read~~ repealed.

13 ~~118.225 Teacher evaluations.~~ A school board may use the results of  
14 examinations administered to pupils under s. 118.30 and 20 USC 6311 (b) (3) to  
15 evaluate teachers if the school board has developed a teacher evaluation plan that  
16 includes all of the following:

- 17 (1) A description of the evaluation process.  
18 (2) Multiple criteria in addition to examination results.  
19 (3) The rationale for using examination results to evaluate teachers.  
20 (4) An explanation of how the school board intends to use the evaluations to  
21 improve pupil academic achievement.

22 SECTION 4. 118.30 (2) (c) of the statutes is amended to read:

23 118.30 (2) (c) The results of examinations administered under this section ~~or~~  
24 under 20 USC 6311 (b) (3) to pupils enrolled in public schools, including charter  
25 schools, may not be used ~~to evaluate teacher performance~~ to discharge, suspend, or

as the sole reason  
as the sole reason

## SENATE BILL 372

## SECTION 4

1 formally discipline a teacher or as the <sup>sole</sup> reason for the nonrenewal of a teacher's  
2 contract.

3 SECTION 5. 119.04 (1) of the statutes, as affected by <sup>2011</sup> ~~2009~~ Wisconsin Act ~~28~~ <sup>0</sup>, is  
4 amended to read:

5 119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),  
6 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,  
7 115.345, 115.361, 115.365 (3), 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045,  
8 118.06, 118.07, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153,  
9 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.225, 118.24 (1), (2) (c)  
10 to (f), (6) and (8), 118.255, 118.258, 118.291, 118.30 to 118.43, 118.51, 118.52, 118.55,  
11 120.12 (5) and (15) to (25), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26),  
12 (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st  
13 class city school district and board.

14 (END)



Section #. 119.04 (1) of the statutes, as affected by 2011 Wisconsin Act <sup>10</sup>, is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.365 (3), 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, ~~118.225~~, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.255, 118.258, 118.291, 118.30 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 (5) and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board.

**NOTE:** Sub. (1) is shown as affected by 2009 Wisconsin Acts 28, 60, 96, 215, 273, 305, and 309 and as merged by the legislative reference bureau under s. 13.92 (2) (b).

**History:** 1971 c. 152 s. 38; 1971 c. 154 s. 80; 1973 c. 89 s. 20 (1); 1973 c. 90; 1973 c. 188 s. 6; 1973 c. 243, 254, 290, 307, 333; 1975 c. 39, 41, 95, 220, 379, 395, 422; 1977 c. 29; 1977 c. 203 s. 106; 1977 c. 206, 284, 447; 1979 c. 20; 1979 c. 34 s. 2102 (43) (a); 1979 c. 221, 298, 331; 1979 c. 346 s. 15; 1979 c. 355; 1981 c. 59; 1981 c. 241 s. 4; 1983 a. 193; 1983 a. 339 s. 10; 1983 a. 374 s. 12; 1983 a. 412, 489, 538; 1985 a. 29 s. 3202 (43); 1985 a. 56 s. 43; 1985 a. 214 s. 4; 1985 a. 225, 332; 1987 a. 27, 187, 285, 386, 403; 1989 a. 31, 120, 121, 122, 201, 209, 359; 1991 a. 39, 42, 189, 269; 1993 a. 16, 334, 377, 491; 1995 a. 27, 225; 1997 a. 27, 77, 113, 240, 252, 335; 1999 a. 9, 32, 73; 1999 a. 150 ss. 631, 672; 1999 a. 186; 2005 a. 99, 290, 346; 2007 a. 20, 97, 220, 222; 2009 a. 28, 60, 96, 215, 273, 305, 309; s. 13.92 (2) (i).

**ASSEMBLY BILL 393**

**SECTION 2**

2012-13  
2012-13

**SECTION 2. Initial applicability.**

1

2

(1) This act first applies to examinations administered during the 2009-10

3

school year.

4

(END)

A

① This bill eliminates the provision that explicitly allows the ~~use~~<sup>results</sup> of standardized examinations to be used for the evaluation of teachers under certain conditions.

② Under current law, the results of standardized examinations may not be used to discharge, suspend, or formally discipline a teacher or as the reason for the nonrenewal of a teacher's contract.

③ This bill provides that the results of standardized examinations may not be used as the sole reason to discharge, suspend, or formally discipline a teacher or as the sole reason for the nonrenewal of a teacher's contract.

FEL



**Grant, Peter**

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**From:** Kulow, Chris  
**Sent:** Friday, March 18, 2011 8:54 AM  
**To:** Grant, Peter  
**Subject:** FW: Change to LRB 1664/1  
**Attachments:** Doc2.doc

Peter,

LRB 1664/1 , in its current form, would repeal section 118.225, Stats.  
On further review, we think it might be better to amend that section as shown on the attached document.

We want to keep language that specifically allows the use of the results of these exams to evaluate teachers.

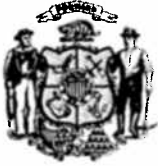
Thanks,

Christopher Kulow  
Office of State Representative Steve Kestell  
15 West - State Capitol; 266-8530  
<http://kestell.assembly.wisconsin.gov>

3/18/2011

**118.225 Teacher evaluations.** A school board may use the results of examinations administered to pupils under s. 118.30 and 20 USC 6311 (b) (3) to evaluate teachers ~~if the school board has developed a teacher evaluation plan that includes all of the following:~~

- ~~(1) A description of the evaluation process.~~
- ~~(2) Multiple criteria in addition to examination results.~~
- ~~(3) The rationale for using examination results to evaluate teachers.~~
- ~~(4) An explanation of how the school board intends to use the evaluations to improve pupil academic achievement.~~



State of Wisconsin  
2011 - 2012 LEGISLATURE

56071



LRB-16644

PG:cjs:jf

Stays

2011 BILL

SAI

1 AN ACT *to repeal* 118.225; and *to amend* 118.30 (2) (c) and 119.04 (1) of the  
2 statutes; **relating to:** using the results of standardized examinations to  
3 evaluate, discharge, suspend, or discipline a teacher or for the nonrenewal of  
4 a teacher's contract.

*Analysis by the Legislative Reference Bureau*

Current law allows the results of state-required standardized examinations and the standardized examinations required under the federal No Child Left Behind Act to ~~be used for the evaluation of teacher performance~~ if certain conditions are met. The school board must develop a teacher evaluation plan that includes a description of the evaluation process, multiple criteria in addition to examination results, the rationale for using examination results for evaluating teachers, and an explanation of how the school board intends to use the evaluations to improve pupil academic achievement.

This bill ~~eliminates the provision that explicitly~~ allows the results of standardized examinations to ~~be used for the evaluation of~~ teachers ~~under certain conditions~~ *evaluate*

Under current law, the results of standardized examinations may not be used to discharge, suspend, or formally discipline a teacher or as the reason for the nonrenewal of a teacher's contract.

Without the presence of the  
without the presence of the  
conditions described above  
conditions described above

## BILL

- 2 -

*italics please, NO underscore*

This bill provides that the results of standardized examinations may not be used as the sole reason to discharge, suspend, or formally discipline a teacher or as the sole reason for the nonrenewal of a teacher's contract.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

~~SECTION 1. 118.225 of the statutes is repealed.~~

SECTION 2. 118.30 (2) (c) of the statutes is amended to read:

118.30 (2) (c) The results of examinations administered under this section or under 20 USC 6311 (b) (3) to pupils enrolled in public schools, including charter schools, may not be used as the sole reason to discharge, suspend, or formally discipline a teacher or as the sole reason for the nonrenewal of a teacher's contract.

SECTION 3. 119.04 (1) of the statutes, as affected by 2011 Wisconsin Act 10, is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c), 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343, 115.345, 115.361, 115.365 (3), 115.38 (2), 115.445, 115.45, 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18, 118.19, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10), 118.245, 118.255, 118.258, 118.291, 118.30 to 118.43, 118.46, 118.51, 118.52, 118.55, 120.12 (4m), (5), and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35), (37), (37m), and (38), 120.14, 120.21 (3), and 120.25 are applicable to a 1st class city school district and board.

SECTION 4. Initial applicability.

**BILL**

1 (1) This act first applies to examinations administered during the 2012-2013

2 school year.

3

(END)

2-1)

Section #. 118.225 (intro.) of the statutes is renumbered 118.225 and amended to read:

**118.225 Teacher evaluations.** (intro.) A school board may use the results of examinations administered to pupils under s. 118.30 and 20 USC 6311 (b) (3) to evaluate teachers ~~if the school board has developed a teacher evaluation plan that includes all of the following:~~

History: 2009 a. 60.

↑

9

SEC #. RP, 118.225 (1) to (4)

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State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-1664/2  
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## 2011 BILL

1    **AN ACT** *to repeal* 118.225 (1) to (4); *to renumber and amend* 118.225 (intro.);  
2           and *to amend* 118.30 (2) (c) of the statutes; **relating to:** using the results of  
3           standardized examinations to evaluate, discharge, suspend, or discipline a  
4           teacher or for the nonrenewal of a teacher's contract.

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***Analysis by the Legislative Reference Bureau***

Current law allows a school board to use the results of state-required standardized examinations and the standardized examinations required under the federal No Child Left Behind Act to evaluate teachers if certain conditions are met. The school board must develop a teacher evaluation plan that includes a description of the evaluation process, multiple criteria in addition to examination results, the rationale for using examination results for evaluating teachers, and an explanation of how the school board intends to use the evaluations to improve pupil academic achievement.

This bill allows a school board to use the results of standardized examinations to evaluate teachers without the presence of the conditions described above.

Under current law, the results of standardized examinations may not be used to discharge, suspend, or formally discipline a teacher or as the reason for the nonrenewal of a teacher's contract.

**BILL**

This bill provides that the results of standardized examinations may not be used as the *sole* reason to discharge, suspend, or formally discipline a teacher or as the *sole* reason for the nonrenewal of a teacher's contract.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

**SECTION 1.** 118.225 (intro.) of the statutes is renumbered 118.225 and amended to read:

**118.225 Teacher evaluations.** A school board may use the results of examinations administered to pupils under s. 118.30 and 20 USC 6311 (b) (3) to evaluate teachers if the school board has developed a teacher evaluation plan that includes all of the following:

**SECTION 2.** 118.225 (1) to (4) of the statutes are repealed.

**SECTION 3.** 118.30 (2) (c) of the statutes is amended to read:

118.30 (2) (c) The results of examinations administered under this section or under 20 USC 6311 (b) (3) to pupils enrolled in public schools, including charter schools, may not be used as the sole reason to discharge, suspend, or formally discipline a teacher or as the sole reason for the nonrenewal of a teacher's contract.

#### SECTION 4. Initial applicability.

(1) This act first applies to examinations administered during the 2012-2013 school year.

**(END)**